

Pra t i t i n r ' D k t N . _____

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



☒ In re application of: Barry Markwitz, et. al.
Application No.: 10 / 633,581 Group No.: 2133
Filed: August 5, 2003 Examiner:
For: Guard Tour System

☐ Patent No*: Issued:
**NOTE: Insert name(s) of inventor(s) and title also for patent.*

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)**

NOTE: Submission of a Power of Attorney after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

As assignee of record of the entire interest of the above identified

- ☒ application,
- ☐ patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

James A. Hudak, Reg. No. 27,340

(check the following item, if applicable)

- ☐ Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

(Power of Attorney by Assignee of Entire Interest [12-2]—page 1 of 2)

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Customer No.:

TimeKeeping Systems, Inc.

(type or print identity of assignee of entire interest)

30700 Bainbridge Road

Address

Solon, Ohio 44139

☒ Recorded in PTO on December 22, 1999

Reel 010459

Frame 0553

☐ Recorded herewith

ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

Date 1/6/04


Signature

Barry J. Markwitz

*(type or print name of person authorized to
sign on behalf of assignee)*

Vice President

Title

NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. § 1.36.

(check the following item, if it forms a part of this power of attorney)

☐ Added page—Authorization of attorney(s) to accept and follow instructions from representative.



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Issue Date: _____

Patent*: _____

Issue Date: _____

Reexamination No.: _____

Issue Date: _____

Reissue: _____

*NOTE: Insert name(s) of inventor(s) and title for patent.

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 3.73(b)—
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature _____

Date: 1/22/04

James A. Hudak

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Statement under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Take Action [16-16]—page 1 of 4)

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, . . . , patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. TimeKeeping Systems, Inc.
Name of assignee
Corporation
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

PERSON AUTHORIZED TO SIGN

3. Barry J. Markwitz
(type name of person authorized to sign on behalf of assignee)
Vice President
Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

[Author's Note: The requirement for an oath or declaration for this statement by a person not a registered practitioner was rescinded by the rules effective December 1, 1997.]

(complete the following, if applicable)

- ☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☒ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at
Reel 010459, Frame 0553.
2. ☐ An assignment (document) separately being submitted for recordal herewith.

AND/OR

- B.** ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From:		
	Name of inventor(s)	
To:		
		Recorded in PTO: Reel _____, Frame _____
2. From:		
	Name of inventor(s) or assignee	
To:		
		Recorded in PTO: Reel _____, Frame _____
3. From:		
	Name of inventor(s) or assignee	
To:		
		Recorded in PTO: Reel _____, Frame _____

(check item below, and add details, if applicable)

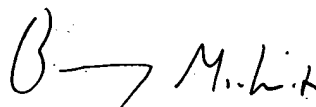
- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

- ☐ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input type="checkbox"/> A	<input type="checkbox"/> 1	<input type="checkbox"/> 2	
<input type="checkbox"/> B	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3



(Signature of authorized person)

Barry J. Markwitz

(type or print name of authorized person)

Vice President

Title of authorized person

Reg. No.: 27,340

Tel. No.: (216) 292-3900

Customer No.:



SIGNATURE OF PRACTITIONER

James A. Hudak

(type or print name of practitioner)

29425 Chagrin Boulevard

Suite #304

P.O. Address

Cleveland, Ohio 44122-4602